

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
an Apple iPhone, S/N FK1SJ4K0HG7N

) Case No. MJ-19-151 -BMJ

FILED
MAR 25 2019
CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY *[Signature]* DEPUTY

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, which is incorporated by reference herein.

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 846	Drug Conspiracy
21 U.S.C. § 841(a)(1)	Manufacturing, possessing, distributing and selling of controlled substances

The application is based on these facts:
See attached Affidavit, which is incorporated by reference herein.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Michael R. Adams
Applicant's signature

MICHAEL R. ADAMS, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 3/25/19

Bernard M. Jones
Judge's signature

BERNARD M. JONES, U.S. Magistrate Judge
Printed name and title

City and state: Oklahoma City, Oklahoma

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Michael R. Adams, Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, being duly sworn, depose and state as follows:

1. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and am empowered by law to conduct investigations of and to make arrests for offenses as set forth in 18 U.S.C. § 2516.

2. I have been employed as a Special Agent with the FBI since March 2015. I am currently assigned to the Oklahoma City Division, where I have been involved in a wide variety of investigative matters, including numerous investigations targeting large criminal enterprises, most of which involved the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1) and 846. As part of my investigative experience, I have executed search and arrest warrants, conducted physical surveillance, coordinated controlled purchases with confidential sources, analyzed records documenting the purchase and sale of illegal drugs, and spoken with informants and subjects, as well as other local and federal law enforcement officers, regarding the manner in which drug distributors obtain, finance, store, manufacture, transport, and distribute their illegal drugs. Through my training and experience, I have become familiar with some of the

manners in which illegal drugs are imported, distributed, and sold, as well as the methods used by drug dealers to disguise the source and nature of their profits.

3. I received twenty weeks of formal training at the FBI academy in Quantico, Virginia related to law enforcement and investigation. All of my training specific to narcotics investigation has come in the form of on-the-job-training from experienced FBI agents and Oklahoma City Police Officers trained in narcotics investigation.

4. I have personally participated in this investigation and am familiar with the information contained in this Affidavit through personal investigation, discussions with other law enforcement personnel, interviews with witnesses, and review of reports and other related documentation.

5. The information contained in this Affidavit is submitted for the limited purpose of establishing probable cause to secure a search warrant for (1) a Samsung Model # SM-J327T1, IMEI: 355417098833863, (2) a Samsung Model # SM-J327T1, IMEI: 357998090101266, (3) Apple iPhone, S/N C39XK2DFKPHF, and (4) Apple iPhone, S/N FK1SJ4K0HG7N (**Subject Phones**) as described further in **Attachment A** (physical description), for evidence of violations of 21 U.S.C. § 841(a)(1) (manufacturing, possessing, distributing and selling of controlled substances)

and § 846 (drug conspiracy), as described further in **Attachment B** (description of items to be seized).

6. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the requested warrant.

BACKGROUND REGARDING CELLULAR DEVICES

7. Based upon my training and experience, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to maintain contact with other co-conspirators, including suppliers, transporters, distributors, and purchasers of illegal narcotics. Such cell phones and their associated memory cards commonly contain electronically stored information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses including, but not limited to, the phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos. In fact, based on my familiarity with this investigation, I know that members of this conspiracy coordinated methamphetamine distribution using cellular telephones. Specifically, the conspirators would make requests for drug purchases, provide information on price, and set up places to meet for

transactions. Consequently, the cellular telephones of individuals involved in this drug conspiracy will likely contain evidence of such illegal activity.

FACTUAL BACKGROUND

8. A joint investigation being conducted by Special Agents and TFOs of the FBI/Oklahoma City Office, the Internal Revenue Service, and the Oklahoma City Police Department has revealed the existence of a drug trafficking organization (DTO) run by the Irish Mob (IMG), an Oklahoma-based prison gang. The IMG DTO is primarily run by high-ranking members inside the prison walls of several facilities in the Oklahoma Department of Corrections (DOC). These high-ranking members of the IMG include David Postelle (POSTELLE), Anthony Sullivan (SULLIVAN), and Dillan Hager (HAGER), all of whom were incarcerated in the DOC.¹ Nevertheless, they were operating an extensive drug conspiracy in Oklahoma City and elsewhere by using contraband cell phones.

9. Because these high-ranking IMG members were incarcerated, their drug trafficking necessarily relied on the cooperation of affiliated individuals or other IMG members that are not incarcerated. These incarcerated members used non-incarcerated individuals to carry out the day-to-day operations of their drug operation, including the transportation, storage, buying, and selling of drugs,

¹ These IMG members have all since been removed from the DOC on federal drug charges.

as well as the collection of debts. In addition, the incarcerated IMG members used the gang as the backbone for their drug-trafficking operation, often selling—through runners—distribution quantities of methamphetamine and other drugs to other individuals also associated with the IMG for further redistribution.

10. The success of the IMG drug-trafficking endeavor depended on this incarcerated leadership having a reliable source of supply—one that could consistently provide the organization with drugs for resale. During the course of this investigation, law enforcement identified several sources of supply for the IMG DTO, including Oscar Hernandez (**HERNANDEZ**). **HERNANDEZ** appears to live in Mexico, and coordinated his work with the IMG in Oklahoma through several local couriers, including **Odorica Beltran (O BELTRAN)**.

11. On December 12, 2018, a federal grand jury in the Western District of Oklahoma returned a superseding indictment charging POSTELLE, SULLIVAN, HAGER, HERNANDEZ, **O BELTRAN**, and others with, *inter alia*, a drug conspiracy. *See United States v. Velasquez, et al.*, Case No. CR-18-260-SLP (W.D. Okla.). An arrest warrant was issued based on this superseding indictment, and a related search warrant for **O BELTRAN**'s residence at 5804 NW 29th St., Apt. D, Oklahoma City, Oklahoma (**O BELTRAN**'s residence), was authorized on December 17, 2018 by Magistrate Judge Shon T. Erwin of the U.S. District Court for the Western District of

Oklahoma based on a showing of probable cause that **O BELTRAN** was engaged in drug trafficking at that residence.

12. On December 18, 2018, the arrest and search warrant were executed by members of the FBI on **O BELTRAN** and her residence at 5804 NW 29th St., Apt. D, Oklahoma City, Oklahoma. During the subsequent search of the residence, each of the **Subject Phones** were found and seized. All four **Subject Phones** were located on top of a dresser in what appeared to be **O BELTRAN**'s bedroom, based on the fact that two Mexico identification cards with **O BELTRAN**'s photograph on them were also found in the same room. Other items found in **O BELTRAN**'s bedroom (where the **Subject Phones** were located) suggested the existence of a large-scale drug trafficking operation being run out of this residence, including approximately \$41,300 in cash proceeds accompanied by make-shift drug ledgers.

13. Law enforcement is aware of **O BELTRAN** using multiple cellular telephones during this investigation, at least two of which were intercepted over court-ordered Title III wiretaps in connection with drug deals.² For

² As part of this investigation, law enforcement has obtained multiple Title III wiretaps, including wiretaps on phones used by POSTELLE ((405)-628-7200 (TT7)) and HAGER ((580) 216-5501 (TT5)). During the course of this investigation, law enforcement determined that members of the IMG frequently spoke in code. My interpretations of their conversations, which are based on my training and experience, as well as my knowledge of the investigation to date, are parenthetically noted throughout.

example, on August 17, 2018, law enforcement monitored a drug transaction that took place at **O BELTRAN's** residence. At approximately 7:08 p.m., HAGER—using TT5—made a call (TT5 Ref. #7) to POSTELLE, who was using TT7. During this call, HAGER asks POSTELLE, “Can you get a hold of “O” (HERNANDEZ)? [. . .] I don’t have his fucking number I guess.” POSTELLE responds, “Alright I’ll call you in one second.” Approximately four minutes later, at 7:12 p.m., POSTELLE sent two texts (TT5 Ref. #13 & 15) to HAGER saying, “Osc77 Work +52 449 179 9882 Mobile 011 52 1 449 179 9882,” and “Call him now.” Immediately thereafter, HAGER—using TT5—made a call (TT5 Ref. #17) to HERNANDEZ at +52 449 179 9882, which lasted 45 seconds. This call was not captured due to a malfunction with the wiretap; however, following this unrecorded conversation, the following texts were exchanged between HAGER and HERNANDEZ:

HERNANDEZ: 405-610-4176 (TT5 Ref. #19)
HERNANDEZ: that’s the number (TT5 Ref. #20)
HAGER: You just want me to tell her I’m O’s homie
(TT5 Ref. #21)
HERNANDEZ: Yes (TT5 Ref. #22)
HAGER: Orale (TT5 Ref. #23)

I believe that this text exchange was HERNANDEZ providing HAGER his local courier’s (**O BELTRAN**) contact information to complete a drug deal. This was confirmed a short while later when HAGER—using TT5—had the

following text exchange with **O BELTRAN** at (405) 610-4176³ (the number provided by HERNANDEZ) between 7:30 and 8:10 p.m.:

HAGER: Can you give me the name of the apartments I'm going to so I can out in in GPS it let me just time in 39th and MacArthur (TT5 Ref. #35)
O BELTRAN: The apartments are trinity ridge^[4](TT5 Ref. #38)
HAGER: I'm right down the street at the el Encino (TT5 Ref. #63)
O BELTRAN: What are you driving? (TT5 Ref. #66)
O BELTRAN: It will be close to second dumpster^[5] (TT5 Ref. #68)
O BELTRAN: Parak behind a black equinox^[6] (TT5 Ref. #69)
HAGER: Black Chevy cobalt it's loud^[7] (TT5 Ref. #70)

³ An administrative subpoena served on T-Mobile indicated this phone was subscribed to a Lamberto Irive at 5804 NW 28th St., Oklahoma City, Oklahoma. Given the slight variation on the name of **O BELTRAN**'s son (Lamberto Irive) and **O BELTRAN**'s address, with the user of this phone being a female, and with the pattern of activity described herein, I believe that **O BELTRAN** is the individual on the phone. In addition, multiple phones identified later in the investigation being used by the same female (based on her role) were subscribed to "Odorica Beltran" (**O BELTRAN**).

⁴ The Trinity Ridge Apartments is the name of the apartment complex where **O BELTRAN**'s residence is located.

⁵ Building 5804, where **O BELTRAN**'s residence is located, is the most southeastern building in the apartment complex. In the southeast corner of the apartment complex, directly next to building 5804, is a large dumpster.

⁶ **O BELTRAN** has been observed driving a 2010 black Chevrolet Equinox on several occasions, including on October 1, 2018, when she was seen exiting the vehicle and entering her residence. Furthermore, the black Chevrolet Equinox is registered to Alma Beltran, **O BELTRAN**'s sister, at **O BELTRAN**'s residence.

⁷ Aundrea Little (LITTLE), HAGER's drug courier, drove a black Chevrolet Cobalt bearing Oklahoma license plate EFY-628. Following LITTLE's arrest on August 23, 2018, after she was found to be in possession of approximately one kilogram of HAGER's methamphetamine, she consented to

O BELTRAN: Let me know w[h]en you park there (TT5 Ref. #75)
HAGER: here (TT5 Ref. #78)
HAGER: Ty (TT5 Ref. #108)
O BELTRAN: My sister^[8] will give it to you (TT5 Ref. #109)
HAGER: I already got it (TT5 Ref. #110)

Based on my training and experience, as well as my familiarity with this investigation, I believe that this text exchange was HAGER coordinating a drug deal with **O BELTRAN**—a deal where **O BELTRAN**'s sister (A BELTRAN) delivered drugs to HAGER's courier, Aundrea Little (LITTLE), at the Trinity Ridge Apartments, where **O BELTRAN**'s residence is located and the **Subject Phones** were recovered.

14. I know, through my training and experience, that drug dealers often switch phones in order to avoid detection from law enforcement, and that drug dealers often have multiple phones that they use for different co-conspirators in order to separate their drug dealing. I also know, through training and experience, that sometimes drug dealers keep old cellular telephones no longer in use in order to save telephone numbers of other co-conspirators, as well as other relevant information including text messages

a search of this black Cobalt. Inside, law enforcement found a locked safe containing approximately \$7,866 in drug proceeds. LITTLE has also been indicted along with HAGER and **O BELTRAN** in this case.

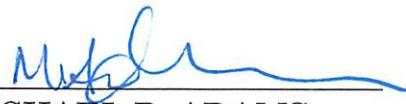
⁸ O BELTRAN's sister has been identified as Alma Beltran (A BELTRAN) through, *inter alia*, vehicle registrations and surveillance of other drug deliveries. A BELTRAN has also been indicted in the same case as her sister.

and photographs. Therefore, I believe there is probable cause to believe that the **Subject Phones** were used by **O BELTRAN** in furtherance of this drug-trafficking conspiracy.

15. Each of the **Subject Phones** were seized by law enforcement on December 18, 2018, and subsequently downloaded and a forensic copy created on December 28, 2018. These downloads/copies have not been reviewed by law enforcement at this time, and will not be reviewed until the issuance of the warrant requested herein.

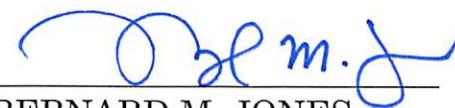
CONCLUSION

16. Based on the above information, there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1) and 846 have occurred, and that evidence, fruits, and instrumentalities of these offenses are located on the **Subject Phones**. Specifically, law enforcement's investigation of **O BELTRAN** revealed that she had been involved in drug trafficking and consistently used cellular telephones to facilitate her drug trafficking. Therefore, I respectfully request that this Court issue a search warrant for the **Subject Phones**, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



MICHAEL R. ADAMS
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 25th day of March,
2019.

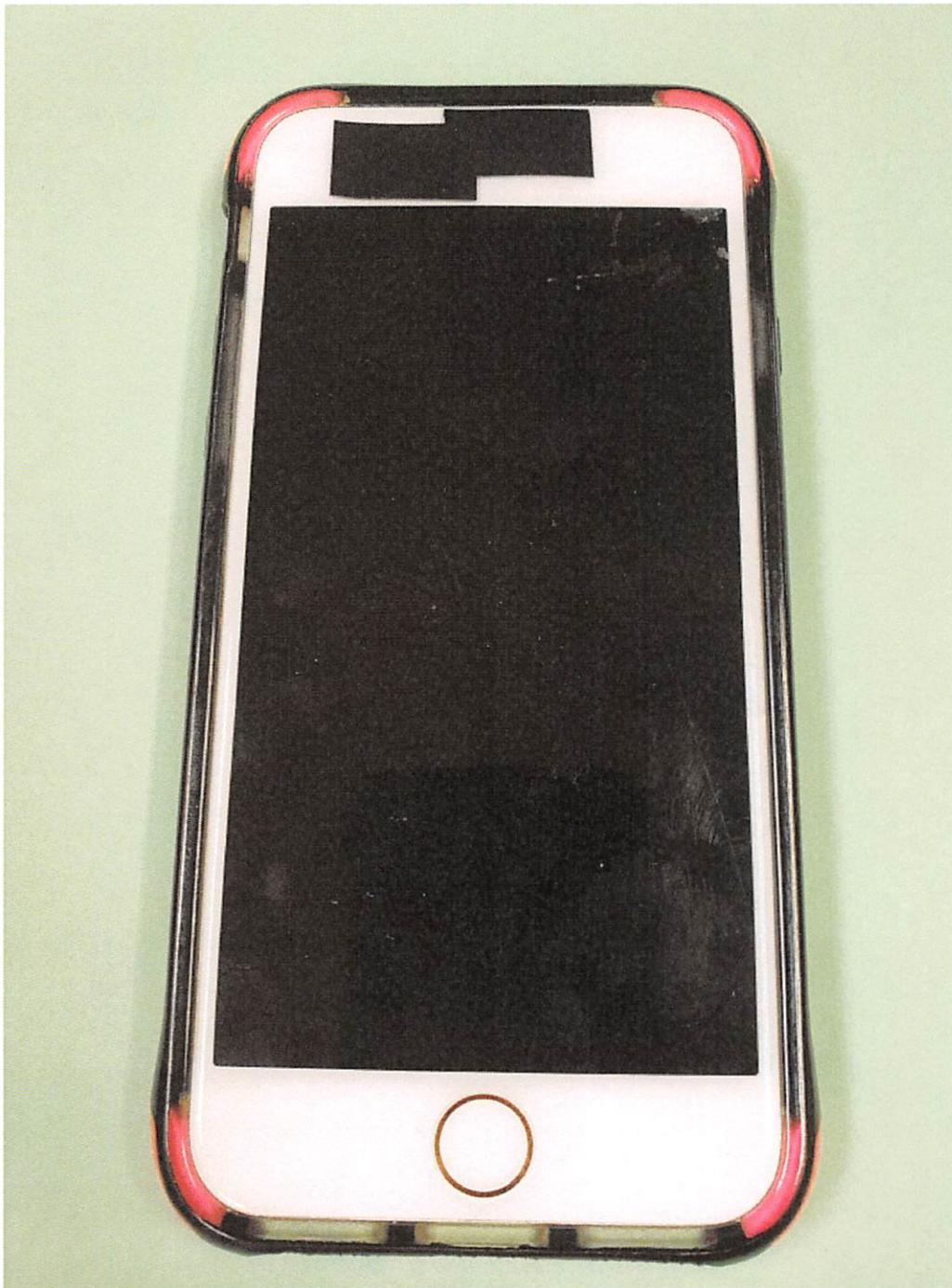


BERNARD M. JONES
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF DEVICES TO BE SEARCHED

An Apple iPhone, S/N FK1SJ4K0HG7N, which is depicted below:



Q8
MA

ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Electronically stored information, including, but not limited to: the phone directory and/or contacts list, calendar, text messages, multi-media messages, e-mail messages, call logs, photographs, and videos.

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